

Carmine P. Amelio and Alfonso Amelio
Plaintiffs Pro Se
32 Main Street
New Milford, CT 06776
Ph: 412-612-6774
Email: cpamelio@gmail.com
November 4, 2020

Honorable Andrew L. Carter
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007
ALCarterNYSDChambers@nysd.uscourts.gov

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 11/5/2020

RE: Carmine Amelio, et al, v. Quicken Loans, Inc., et al, Case No.: 1:19-cv-08761-ALC – Letter in Support of Plaintiff's request to reopen this matter and request a further sixty (60) days extension of time to confirm proper and effectuated service of summons and complaint.

Dear Judge Carter,

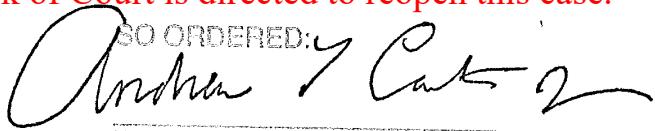
This letter is to advise that Plaintiffs timely filed Affidavit of Service via the Temporary_Pro_Se_Filing@nysd.uscourts.gov link on October 5, 2020 (See Exhibit A), however, the pleading was never docketed by the Court Clerk and, subsequently, Plaintiffs' case was dismissed on October 15, 2020. On October 3, 2020, Plaintiffs attempted to file their Second Amended Complaint, which was attached to Plaintiff's July 7, 2020 response to order to show cause, but the Clerk indicated that it was incorrectly titled "First Amended Complaint." The error was only on the title while the body was proper as the Second Amended Complaint, thus Plaintiffs corrected the title error and timely filed their Second Amended Complaint, received summons from the clerk and timely served the summons and complaint on October 5, 2020.

Plaintiffs are pro se and not trained in law, which outside of their full time occupations, require extensive time to research and prepare pleadings and the administration and other court matters.

Plaintiffs are not making this request in bad faith or for the purposes of delay and it will not harm or prejudice the Defendants' case.

Plaintiffs would greatly appreciate for this Court to grant their request to reopen this matter and a further sixty (60) days extension of time to confirm proper and effectuated service of summons and complaint.

The Court hereby GRANTS Plaintiffs' request for an extension of 60 days to effect service. The Clerk of Court is directed to reopen this case.

SO ORDERED:

Andrew L. Carter, Jr.

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE
Date: November 5, 2020

Respectfully submitted,
/s/ Carmine P. Amelio
Carmine P. Amelio, Plaintiff Pro Se

/s/ Alfonso Amelio
Alfonso Amelio